

REMARKS

Claims 30, 32-36 and 40-59 are pending in the application with the present amendments. In the Office Action, all claims were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,839,851 to Saitoh et al. ("*Saitoh*") in view of U.S. Patent No. 6,381,262 to Ogino ("*Ogino*"), in view of U.S. Patent No. 6,389,538 to Gruse ("*Gruse*") or further in view of U.S. Patent No. 6,732,366 to Russo ("*Russo*"), or as obvious over *Saitoh* in view of *Ogino*, *Gruse*, *Russo* and further in view of Kato et al. (6,470,496) and/or Sonoda et al. (U.S. Patent No. 6,622,004). Reconsideration and withdrawal of the rejections are respectfully requested in view of the amendments herein and remarks as set forth below.

Independent claim 41 recites a receiver operable to receive a digital broadcast transmission and demultiplex the received transmission into content data and content storage control information. A data recording device coupled to the receiver is operable to record the received content data.

The content storage control information specifies a condition for deleting the content data from the recording medium. For example, the content storage control information can specify a time interval extending from the time the content data is recorded onto the recording medium.

When the condition for deleting the content data is met, for example, when the time interval, e.g., one day (or five days), elapses from the time the content data is recorded onto the recording medium, the recording device is then operable to delete the recorded content data from the recording medium.

The cited combination of references do not teach the invention recited in the presently pending claims. None of the

cited references teaches the transmission of content storage control information with the content data. None of the cited references teaches reception of control information with content data which specifies a condition under which received recorded content data is to be deleted from a recording medium.

Saitoh merely describes the transmission of content data between devices as restricted by "copyright control information" (col. 3, lns. 7-42). As acknowledged in the final Office Action, *Saitoh* does not teach receiving information, together with content data, that specifies a condition under which the received content data is to be deleted.

Ogino merely indicates that copy control information can accompany the transmission of data. Copy control information can be used to restrict the number of copies that can be made from particular data. However, again, *Ogino* fails to teach use of received information to specify a condition under which received content data is to be deleted.

Gruse merely refers to digital rights management. With digital rights management, use of received content data can be restricted. However, *Gruse* fails to teach received information being used to specify the condition under which the received content data is to be deleted.

Russo describes that a recorded program can be erased from a medium automatically "during or immediately subsequent its retrieval" to free up space on the medium. (col. 11, lns. 21-26). *Russo* does not teach receiving information that specifies the condition under which received content data is to be deleted. In the system described in *Russo*, no such storage control information needs to be received. Any program will be automatically erased during or after retrieval, without regard to content storage control information.

The teachings of *Russo* do not add to the teachings of *Saitoh*, *Ogino* and *Gruse*. In *Russo*, the condition under which a program is deleted from storage is not passage of a time interval, nor does it relate to the number of times the program has been copied or reproduced. *Russo* teaches automatic deletion of any recorded program on the condition of retrieving the program from storage. The other three references merely teach restricting use (not deletion) of received programs based on copy control information or digital rights management. *Saitoh*, *Ogino* and *Gruse* may even have motivation to see that recorded content data will not be deleted automatically, as it is done in *Russo*. If content data were deleted by the systems described in *Saitoh*, *Ogino* and *Gruse* it might cause harm, because information in the recorded content data that is needed to track unauthorized copying or use might be deleted, a suggestion made in *Ogino* (col. 3, lns. 1-25).

Support for the present amendments is provided, *inter alia*, in paragraphs [0087] through [0094] of the Specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which she might have.

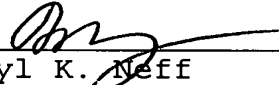
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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